

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

LUZ CARMARIE RODRIGUEZ FIGUEROA

DEBTOR

CASE NO. 19-05439/BKT

CHAPTER 13

**DEBTOR'S MOTION REQUESTING ORDER
RE: AUTHORIZATION TO USE FUNDS FROM 2019 TAX REFUND**

TO THE HONORABLE COURT:

NOW COMES, LUZ CARMARIE RODRIGUEZ FIGUEROA, the Debtor through the undersigned attorney, and very respectfully states and prays as follows:

1. The Debtor's confirmed Chapter 13 Plan dated November 8, 2019, Docket No. 14, provides that Debtor's tax refunds will be paid into the Plan.

2. The Debtor received her 2019 tax refund in the amount of \$1,220.00. Attached is copy of bank e-statement, which reflects the direct deposit of the 2019 tax refund on April 7, 2020, issued by the Puerto Rico Treasury Department.

3. The Debtor respectfully submits to the Court that she needs to use these funds to pay for: due to the coronavirus lockdown, the Debtor has had an extraordinary increase in the family expenses for food and utilities, therefore, the Debtor needs to use part of the monies from her 2019 tax refund to pay for such emergency expenses. In addition, the Debtor needs to use part of these funds to pay for: new tires for her 2001 Nissan Pathfinder.

4. The Debtor needs to use the funds from the 2019 "tax refund" to pay for these reasonable expenses. Furthermore, the debtor is living within a very "tight" budget which barely covers his living expenses and a Plan payment of \$150.00.

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5. Based on the above-stated, the Debtor respectfully requests this Court to Order the authorization of the use of these funds for this expense.

WHEREFORE, the Debtor, through the undersigned attorney respectfully requests that this Honorable Court grant the foregoing motion and allow the use of the funds from the 2019 tax refund by the Debtor to pay for the above-stated expense.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee and to all CM/ECF participants; I also certify that a copy of this motion was sent via US Mail to the Debtor, Luz Carmarie Rodriguez Figueroa, to the address of record: Bo Palo Seco Buzon 207, Maunabo PR 00707, and to all creditors and parties in interest (CM/ECF non-participants), as per the attached master address list.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 13th day of April, 2020.

/s/ Roberto Figueroa Carrasquillo

USDC #203614
RFIGUEROA CARRASQUILLO LAW OFFICE PSC
ATTORNEY for the DEBTOR
PO BOX 186 CAGUAS PR 00726
TEL 787-963-7699 / FAX 787-746-5294
Email: rfc@rfigueroalaw.com

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Case 19-05439-BKT13
District of Puerto Rico
Old San Juan
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SCOTIABANK DE PUERTO RICO
FERNANDEZ COLLINS CUYAR & PLA
PO BOX 9023905
SAN JUAN, PR 00902-3905

AEELA
PO Box 364508
San Juan, PR 00936-4508

Island Finance
PO Box 71504
San Juan, PR 00936-8604

Scotiabank de Puerto Rico
PO Box 363368
San Juan, PR 00936-3368

ALEJANDRO OLIVERAS RIVERA
ALEJANDRO OLIVERAS CHAPTER 13 TRUS
PO BOX 9024062
SAN JUAN, PR 00902-4062

ROBERTO FIGUEROA CARRASQUILLO
PO BOX 186
CAGUAS, PR 00726-0186

ISLAND PORTFOLIO SERVICES LLC AS SERVICER OF
PO BOX 361110
SAN JUAN, PR 00936-1110

US Bankruptcy Court District of P.R.
Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

(p)CITIFINANCIAL
BANKRUPTCY FORECLOSURE UNIT
1000 TECHNOLOGY DRIVE
OFALLON MO 63368-2239

ORIENTAL BANK (MORTGAGE DIVISION)
PO BOX 362394
SAN JUAN PR 00936-2394

Sistema de Retiro ELA
PO Box 42003
San Juan, PR 00940-2203

LUZ CARMARIE RODRIGUEZ FIGUEROA
BO PALO SECO BUZON 207
MAUNABO, PR 00707-2926

ORIENTAL BANK
C/O JUAN A. CUYAR COBB, ESQ.
FERNANDEZ CUYAR ROVIRA & PLA LLC
PO BOX 9023905
SAN JUAN, PR 00902-3905

AAA
PO Box 70101
San Juan, PR 00936-8101

Coop A/C Yabucoena
PO Box 1
Yabucoa, PR 00767-0001

SBA US Small Business Administration
10737 Gateway West Suite 300
El Paso, TX 79935-4910

Toyota Financial Services
PO Box 195467
San Juan, PR 00919-5467

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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300 Saint Paul Pl
Baltimore, MD 21202-2120

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